

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 21496

PERMIT 14525

LICENSE 9634

ORDER CORRECTING THE DESCRIPTION OF THE POINT OF DIVERSION

WHEREAS:

1. License 9634 was issued to James V. O'Hara and Elizabeth A. O'Hara and was recorded with the County Recorder of Sierra County on March 24, 1971 in Volume 52, Page 579.
3. An inspection was made on June 16, 1988, and it was determined that the description of the Point of Diversion should be corrected. This correction is needed to accurately describe the Point of Diversion as it is on the ground and to agree with the latest U.S.G.S. 7.5' Quadrangle Map, Haypress Valley.


NOW, THEREFORE, IT IS ORDERED THAT:

The Point of Diversion under License 9634 be described as follows:

North 750 feet and East 2,150 feet from the SW corner of Section 27, T20N, R12E, MDB&M, being within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 27. Also described as California Coordinate System, Zone 2, N 695,000 and E 2,390,500.

Dated: **SEPTEMBER 19 1988**



 Walter G. Pettit, Chief
Division of Water Rights



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 21496

PERMIT 14525

LICENSE 9634

THIS IS TO CERTIFY, That

JAMES V. O'HARA AND ELIZABETH A. O'HARA (over)
836 MARIPOSA STREET, VALLEJO, CALIFORNIA 94590

HAVE made proof as of AUGUST 24, 1970 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
AN ABANDONED MINE TUNNEL IN SIERRA COUNTY

tributary to NORTH YUBA RIVER THENCE YUBA RIVER

for the purpose of DOMESTIC AND FIRE PROTECTION USES
under Permit 14525 of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from OCTOBER 9, 1963 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed ONE THOUSAND (1,000) GALLONS PER DAY, TO BE DIVERTED
FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 925 FEET AND EAST 660 FEET FROM SW CORNER OF SECTION 27, T20N, R12E,
MDB&M, BEING WITHIN SW1/4 OF SW1/4 OF SAID SECTION 27.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

WITHIN NW1/4 OF SW1/4 OF SECTION 27, T20N, R12E, MDB&M.

2-18-87 asgd to Joseph & Judith Mueller

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, ~~reasonable access to project works to determine compliance with the terms of this license.~~

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, ~~unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.~~

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAR 17 1971

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward
Chief, Division of Water Rights